

# **SNPLMA/FLTFA ROUND 6**

## **LAND ACQUISITION**

### **NOMINATION PACKAGE REQUIREMENTS**

The procedures for nominating and evaluating lands and interests in lands for potential acquisition by the Federal government in Nevada under the Southern Nevada Public Land Management Act of 1998 (P.L. 105-263) (SNPLMA) and the Federal Land Transaction Facilitation Act of 2000 (Title II of P.L. 106-248) (FLTFA) have been integrated. This integration is described in the revised SNPLMA/FLTFA Implementation Agreement and the public notice published in the FEDERAL REGISTER on August 10, 2004. Lands nominated during Round 6 may be recommended for funding under either the SNPLMA or the FLTFA, or for combined funding under both laws. The following requirements, questions, and criteria have been included to meet the requirements of each law.

#### **GENERAL REQUIREMENTS:**

- Packages are to be submitted to the Land Sales & Acquisitions Division, Bureau of Land Management, ATTN: SNPLMA Acquisitions, Las Vegas Field Office, 4701 N. Torrey Pines Drive, Las Vegas, NV 89130, by close of business on the due date. Packages should be submitted in hard copy and electronic copy (3.5" disks or CDs). Text should be created in MSWord '97 or higher. All text and images should be integrated into a single document on the disk or CD. This will require scanning maps, photographs, and other documents which were not originally created or obtained electronically. Photographs & maps should be scanned in .jpg format for insertion into the text document.
- Time permitting, nominators will be notified if their nomination package is incomplete and allowed a brief period to provide missing information.
- Late submissions can not be considered.
- Incomplete nomination packages can not be considered.
- All nomination packages, including disks and CDs, become the property of the BLM – Division of Land Sales & Acquisitions, Las Vegas Field Office and will not be returned.
- A "Model Land Nomination Package" is available on the SNPLMA website ([www.nv.blm.gov/snplma/agreement.asp](http://www.nv.blm.gov/snplma/agreement.asp)) or, if internet access is not available, by calling 702-515-5041 or 702-515-5168. This package illustrates the preferred format for providing the required information. The SNPLMA/FLTFA Implementation Agreement which sets out the policies, procedures, and processes for implementing the SNPLMA can also be found on the web site. Those pages most relevant to the acquisition of environmentally sensitive land can be found on pages 28-35, 55-56, 63-64 (agency cost estimate forms), 71-74 (nomination evaluation funding criteria), and 85 (agency documentation requirements).

**NOMINATION PACKAGES FOR A LAND ACQUISITION MUST INCLUDE THE FOLLOWING INFORMATION AND DOCUMENTS IN THE ORDER SHOWN HERE:**

**1. A narrative statement addressing the following in the order listed here:**

- ☐ Name of Property.
- ☐ Nominating Entity: Provide the name, address, phone number, and if available e-mail address, of the person submitting the nomination. If the nomination is being made on behalf of an organization, include the name and address of the organization as well as the name of the individual. If the nomination is being submitted by a representative of the owner, attach a letter or other document signed by the owner indicating the nominating entity has the authority to represent the owner in the nomination process.
- ☐ Name, address, and phone number of the property owner(s) and authorized agent if any.
- ☐ Date on which the property was acquired by the current owner(s).
- ☐ The legal description(s), county in which the property is located, and APN number(s).
- ☐ The size of the property in acres.
- ☐ Name of the acquiring Federal agency that will assume management responsibility for the property if purchased.
- ☐ Rights Being Offered for Acquisition: Duplicate this list and check those rights which are being offered for purchase::
  - ☐ Fee Acquisition of Land
  - ☐ Water Rights: Specify type and acre feet, beneficial use, diversion point, etc.
  - ☐ Conservation Easement (e.g., Development Rights)
  - ☐ Mineral Rights: Describe
  - ☐ Access Easement
  - ☐ Patented Mining Claims – Describe
  - ☐ Other -- describe
- ☐ Rights to be Reserved: Duplicate this list and check any interests in the property the owner possesses but wishes to reserve. Examples include:
  - ☐ Access rights
  - ☐ Water Rights: Specify type and acre feet, beneficial use, diversion point, etc.
  - ☐ Mineral interests: Describe
  - ☐ Development Rights
  - ☐ Other -- Describe
- ☐ Rights of Others: To the best of the owner's knowledge, identify any entity other than the land owner who has rights in the property and what those rights are (owns/leases mineral or water rights associated with the land; renters, tenants or any other form of lease; occupancy or use rights, etc.).
- ☐ Asking Price: To determine a budget request from the Secretary of Interior, owners are requested to provide their asking price. Inclusion of this price in the Preliminary Recommendation or Final Recommendation to the Secretary does not create a commitment to purchase the property at that price. The SNPLMA and FLTFA require that the offer price be the "fair market value" as determined by a federally approved appraisal. The offer price, therefore, will be the fair market value from the federally approved appraisal regardless of whether it is higher or lower than the

owner's asking price.

Provide the owner's asking price and indicate which one or more of the following were used as the basis for the owner's determination of that asking price:

- ☐ Previous appraisal of the property conducted in [year] by [name of appraiser]
- ☐ Current appraisal of the property conducted in [month & year] by [name of appraiser]
- ☐ Recent appraisal of a similar, nearby property located at \_\_\_\_\_ approximately \_\_\_\_\_ miles from the subject property, conducted in [month & year] by [name of appraiser]
- ☐ Recent sales of similar property sold in [year]
- ☐ Asking price of similar size and type property
- ☐ Offer on the subject property received in [year] which is valid/no longer valid
- ☐ Offer received on similar, nearby property located at \_\_\_\_\_ approximately \_\_\_\_\_ miles from the subject property
- ☐ Assessed value of the subject property
- ☐ Broker's estimate of market price obtained from [name of broker] on (month & year)
- ☐ Percent increase over price paid for the property in [year purchased]
- ☐ Development value of the property based on a development plan approved and on file with [name of jurisdiction]
- ☐ Income stream from current business enterprise(s) conducted on subject property
- ☐ Mineral value of the property based on a mineral report validated by complete exploration drilling records
- ☐ Other: Explain in Detail

Calculations: Explain any calculations the owner applied to the above in deriving the asking price.

- ☐ A general description of the property (include whether or not there are any man-made structures on the property and, if so, provide a brief description of the structures).
- ☐ Brief summary of resource values on which the nomination is based (detailed description of resource values will be provided elsewhere in the nomination package). Claims of "potential habitat" for sensitive or designated species are not acceptable. Claims of such habitat must be validated.
- ☐ The name of the federally approved land-use plan which addresses the protection or acquisition of the property.
- ☐ If applicable, (a) the name of the federally designated area within which the property is located or which shares a common boundary with the property (see Section 203(2) of the Federal Land Transaction Facilitation Act of 2000 for the definition of "federally designated area"), (b) the date the area was established or designated for special management, and (c) the date the land was withdrawn from the public domain (if different from the date of designation). The narration should indicate if this question is not applicable.
- ☐ Provide an explanation of any known hazardous material, safety, or other liability issue(s) associated with the subject property, how these were assessed, and how these issues will be or could be mitigated. Other liabilities might be legal, physical, or financial issues that have to be resolved; some examples might be pending lawsuits, liens, bankruptcies, debris/trash to be removed, unneeded improvements that would need to be maintained or demolished, etc. If no known hazards or liabilities exist, please state this in your response.

**2. Owner Statement:** A statement signed by the property owner(s) indicating an understanding of the Federal acquisition process and a willingness to consider selling the property to the United States. (See Attachment 1, Page 1 for format of letter.) The owner must be provided the summary entitled "Federal Acquisition Process" for review prior to signing the owner statement. (See Attachment 1, Page 2.)

**3. Agency Statement:** A statement signed by an authorized officer of the Federal agency that would take possession of the property and assume management responsibility for it. Authorized officers should be upper level management such as BLM Field Managers, Forest Supervisor, etc. (See Attachment 2.) The agency must also attach a cost estimate sheet estimating the associated acquisition costs.

**4. Cooperating Entity Statement:** If applicable, a statement from any cooperating entity indicating intent to enter into a mutually acceptable management agreement with the acquiring Federal agency.

**5. Notification to County Government:** The nominating entity must notify the affected county government in writing via letter to appropriate government official (e.g., letter to the Chairman of the County Board of Commissioners) of its intent to nominate land for federal acquisition under the SNPLMA/FLTFA process. The notification letter should include the following basic property information: Owners name, general description and location of the property, legal description and APN numbers, size in acres, rights being offered including acre feet and type of water rights if appropriate, acquiring Federal agency, and purpose of the nomination. A copy of the notification letter and a copy of the delivery receipt must be included in the nomination package and a copy of the letter shall be sent to the acquiring agency.

**6. A narrative responding to each question posed in the Nomination Assessment.** (See Attachment 3.)

**7. A narrative regarding socioeconomic information relative to the Property** (See Attachment 4.)

**8. A page-size map of Nevada depicting the general location of the subject property.**

**9. A page-size map depicting the specific location of the property, including the proximity to a federally designated area, if applicable.**

**10. A page-size copy of official local government assessor's parcel map.** If no assessor's parcel map is available, a copy of a recorded survey, surveyor drawing attached to the recorded deed, or copy of other such professional drawing which accurately reflects the size and configuration of the property may be substituted.

**11. Photographs:** Photographs depicting the general character of the property and the resource values specified in the Nomination Assessment. Electronic copies of photographs should be in .jpg format.

**12. Aerial Photograph:** If available from public or private sources, an aerial photograph of the property. (The Clark County Assessor's office website ([www.co.clark.nv.us/assessor](http://www.co.clark.nv.us/assessor)), government offices in other counties, or the USDA's Natural Resources Conservation Service may be sources for aerial photographs.)

**ATTACHMENT 1 – PAGE 1**

**FORMAT FOR OWNER STATEMENT  
INDICATING WILLINGNESS TO CONSIDER SALE TO THE FEDERAL GOVERNMENT**

TO: Name of Nominating Contact Person  
Name of Nominating Entity  
Address of Nominating Entity

[Salutation]:

I, [Name of Seller], am the legal owner of the approximately XXX acres of real property known as [Name, address, legal description, parcel number(s) and/or other unique identification number]. I understand that the property is being nominated for acquisition by a Federal agency under Round 6 of the Southern Nevada Public Land Management Act (SNPLMA) and/or the Federal Land Transaction Facilitation Act (FLTFA).

I have read the document entitled “Federal Acquisition Process” and understand the basic process that the Federal government will follow if the above property is selected for acquisition under the SNPLMA or the FLTFA. I am willing to consider sale of the above property to the Federal government according to the process described in that document if acceptable terms and conditions can be mutually agreed upon.

I understand that the purchase price would be based on a federal agency-approved professional appraisal and that I have the right to accept or reject the value established by that appraisal.

My signature below indicates a willingness to consider sale of the subject property, but in no way creates an obligation to sell. I understand that I have the right to remove the property from consideration for purchase by the Federal government at any time, and agree to notify the appropriate Federal agency in a timely manner if I decide to do so.

[Name and Title of Owner]  
[Address & Phone of Owner]

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## ATTACHMENT 1 – PAGE 2

### FEDERAL ACQUISITION PROCESS

Following is a brief outline of the Federal real property acquisition process. This process is consistent with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act). The Uniform Act provides for fair and equitable treatment of persons whose property will be acquired or who will be displaced because of programs or projects financed with Federal funds. If a land nomination is forwarded to and approved by the Secretary of the Interior for acquisition under the Southern Nevada Public Lands Management Act or the Federal Land Transaction Facilitation Act (FLTFA), the acquisition would follow these steps:

1. Evaluation of Real Property. The Acquiring Agency will perform various studies of your property such as an initial site inspection and an environmental assessment for hazardous materials or substances. The Agency will also review your ownership documents and prepare a preliminary title opinion after review of a title report and title commitment from a qualified title company. These and other possible steps that the Agency must take during this process (e.g., survey, possible relocation issues, etc.) may affect your compensation and the completion date of the acquisition. The Agency will stay in contact with you throughout the process and will be available to answer any questions that you may have.
2. Appraisal. An appraiser will contact you to make an appointment to inspect your property. You or any representative that you desire will be invited to accompany the appraiser when the property is inspected. This provides you an opportunity to point out any unusual or hidden features of the property that the appraiser could overlook.
3. Appraisal Review and Approval. Once the appraisal has been completed, a review appraiser will review the report to ensure that all applicable appraisal standards and requirements were met. The review and appraisal are provided to the Agency for approval. The approved appraisal will then be used to determine the amount to be offered for your property. This amount will never be less than the market value established through the appraisal process.
4. Offer. The Agency will deliver a written offer for the sale/purchase of the real property. The Agency's offer will generally consist of a written summary statement that includes the amount of compensation (i.e., purchase price), the description of the property and any buildings or improvements that are considered to be part of the real property, and the property rights to be acquired. The Agency will give you a reasonable amount of time to consider the written offer and to ask questions or to request clarification of anything that is not understood. If you believe that all relevant material was not considered during the appraisal, you may present such information at this time.
5. Purchase Agreement. When you reach an agreement with the Agency on the offer, you will be asked to sign an option or a purchase agreement prepared by the Agency. Your signature will affirm that you and the Agency are in agreement concerning the acquisition of the property, including the terms and conditions of the acquisition. If, within a reasonable time, you and the Agency are unable to reach an agreement on the acquisition of the real property, the Agency's offer will be withdrawn and your property will be removed from the acquisition list.
6. Payment. The final step in the acquisition process is closing escrow and payment for your property. Upon completion of a final inspection of your property and confirmation that an approved policy of title insurance will be issued, the Agency will deposit the appropriate amount of compensation into a previously established escrow account. At this time you will execute a General Warranty Deed prepared by the Agency and receive payment for your property when escrow closes.

**ATTACHMENT 2**  
**FORMAT FOR ACQUIRING AGENCY'S AUTHORIZED OFFICER CERTIFICATION**

I \_\_\_\_\_ [name, title] of \_\_\_\_\_ [name of acquiring agency] hereby certify that where the \_\_\_\_\_ property is concerned:

1) A representative of [name of acquiring agency] has conducted an initial site inspection on [date(s)]. Based on that inspection, the location and general description of the property presented in this nomination package has been verified and is accurate.

2) The property [is/is not] located within or adjacent to a "federally designated area" as that term is defined in the Federal Land Transaction Facilitation Act of 2000. The federally designated area is [insert name of the area.] and this information is/is not stated correctly in the nomination package.

3) Explain if and how the acquisition will facilitate management efficiency of Federal lands or of a "federally designated area."

4) Acquisition of the property is consistent with the [name of plan] approved Federal land-use plan in force for the area within which the property is located.

5) If not now consistent with an approved Federal land-use plan in force for the area within which the property is located, the following steps will be taken/are underway which will make the property consistent with the [name of plan], the approved Federal land-use plan in force for the area within which the property is located prior to its acquisition.

6) The planned use of the property is \_\_\_\_\_ and explain whether or not these uses are likely to be compatible with . [Examples might be public access to other federal lands, specific recreational purposes, remain vacant for habitat protection/restoration, grazing permits, etc.).

7) The initial assessment of the information in this nomination package indicates the property interests to be acquired are sufficient to satisfy the Federal acquisition objectives and, to the best of my knowledge, there are no known legal, physical, or financial issues that would prevent or unnecessarily delay Federal acquisition and management of the property.

8) Based on the initial site inspection and interview with the owner,

(a) The initial assessment of potential liabilities presented in this nomination package has been verified and is accurate to the best of my knowledge;

(b) I concur that the method employed by the nominating entity to initially assess those liabilities is appropriate; and

(c ) The likely remediation that will be needed and method of accomplishing that remediation as described in the nomination narrative appears accurate.

[If the Agency disagrees with any of the above information in the nomination package, or has additional input regarding the potential liabilities, that information should be provided at this point.]

9) Based on the agency's initial site inspection, the resource values of [list resource values] described in this nomination package appear accurate. The nominating entity/This agency has verified claims of habitat for listed species through the following sources \_\_\_\_\_.

10) In the opinion of the agency, acquisition of the property is needed for the following reasons: [list or provide a narrative describing the reasons]. These reasons are consistent with [if appropriate, "and/or an

expansion of”] those stated in the nomination package response to assessment question number 9. [If the reasons stated in the nomination package are inaccurate please indicate in your response to this item.]

11) Please include one of the following statements regarding the owner’s asking price: (1) The agency has reviewed the owner’s asking price and finds no information currently available which would indicate it is unreasonable, so is willing to proceed with the nomination in order to determine market value through the appraisal process. OR (2) The agency has reviewed the owner’s asking price and, based on information currently available, believes the owner’s price expectations to be excessive. If responding with statement number two, please address what measures the Agency has taken to assure that the owner will seriously consider a fair market offer based on a Federally approved appraisal and other justification for pursuing the acquisition in spite of the high asking price.

12) The agency estimates \$ \_\_\_\_\_ will be needed to cover other acquisition direct costs as shown on the attached Land Acquisition Estimated Direct Cost form from the June 2004 Implementation Agreement. [Appendix B-1 of the June 2004 Implementation Agreement, (page 63, SNPLMA cost estimate sheet) is to be completed for other associated allowed acquisition costs and attached to the Agency Statement. Note: If a nomination is approved for funding under FLTFA, the allowed costs on Appendix B-2, (page 64, FLTFA cost estimate sheet), will apply rather than those on the SNPLMA cost estimate sheet.]

13) The agency has completed an initial assessment of the on-the-ground management requirements associated with the property and, either on its own or in combination with significant non-federal contributions, has the resources to so manage this property if acquired. (Any non-federal management contributions should be specified.)

14) The agency is prepared to accept management responsibility for the \_\_\_\_\_ property on the date purchase is completed.

15) The agency has the resources to acquire the property in a timely manner if approved by the Secretary of the Interior for acquisition under the Southern Nevada Public Land Act or by the Secretary of the Interior and the Secretary of Agriculture for acquisition under the Federal Land Transaction Facilitation Act.

16) The agency certifies that it has submitted, or will submit prior to the beginning of the public comment period, a copy of the complete nomination package to the local government jurisdiction with a cover letter requesting the local government’s review and comments, if any, by the date the final comment period closes, and offering to meet with the appropriate local government official(s) regarding the nomination if desired.

By:

\_\_\_\_\_  
Authorized Officer Name

Date \_\_\_\_\_

\_\_\_\_\_  
Title [BLM Field Manager, Forest Supervisor, etc.]

\_\_\_\_\_  
Name of Agency that would take possession of the property

\_\_\_\_\_  
Name of local agency contact person for this nomination



**ATTACHMENT 3**  
**LAND ACQUISITION NOMINATION ASSESSMENT**

**Positive responses should address all factors listed under the question. If a factor does not apply to the land being nominated, please state this in your response.**

**1. Does the property include habitat of one or more specially designated species? Note: Claims of “potential habitat” are not acceptable. Claimed habitat must be verifiable. Owners may consult a variety of sources including the Nevada Natural Heritage (<http://heritage.nv.gov>) and/or the local office of the U.S. Fish and Wildlife Service (<http://www.fws.gov>) for assistance in verifying habitat of specially designated species on the subject property. Owners may also request the assistance of the acquiring agency in confirming such habitat.**

If yes, specify

- The number and name of special status species and season of habitation
- The listing status of each special status species and trend in population of each
- Significance of the acquisition in contributing towards preservation of the specially designated species.

**2. Does the property contain a significant natural, aesthetic, scientific or cultural feature(s) or value(s)?**

If yes, describe

- The features or values associated with the property (number and types, eligibility for special designation)
- Significance of the acquisition in preserving the resource values (including bio-diversity)
- Existence of specific management plans for the resource values involved

**3. Does the property include a wetland or riparian area?**

If yes, describe:

- Quantity and season of water on the site (perennial, ephemeral, or intermittent)
- The riparian values (number and types of riparian values) and nature of public benefits
- Significance of the acquisition in protecting the wetland or riparian values
- Significance of the property in the watershed

**4. Does the property provide recreational opportunities or improve access to Federal lands**

If yes, describe:

- Number and type of recreation values
- Significance of the acquisition in providing recreation or access
- Existence of specific management plans for the resource values

**5. Is the property within or adjacent to a federally designated area and would its acquisition achieve better management of Federal land?**

If yes, describe

- Name the federally designated area involved and whether this is an in-holding or an adjacency
- The date the federally designated area was established or designated for special management

- How the acquisition supports the purpose of the federally designated area
- Would Federal acquisition be consistent with local planning and zoning?
- How would the acquisition improve management of Federal Land?

**6. Are any non-federal funding contributions anticipated for the acquisition itself, or for the development or management of the property?**

If yes, discuss:

- The partner(s) and the nature and relative significance of the funding partnerships
- The value of the contribution and percent of overall costs
- The permanence of the contribution. That is, is it a permanent contribution or does the entity expect to be reimbursed?
- Duration of the contribution – is it a one-time contribution or a continuing contribution?

**7. Does the acquisition have the support of other federal agencies, the State of Nevada, local governments and/or other interested parties?**

If yes, describe:

- Federal and State agencies and/or other interested parties that support the acquisition. It's recommended that letters or other documentary evidence be provided from any entity for which support is claimed.
- How support is demonstrated
- Nature of the support or opposition

**8. Other Considerations: What would happen to the property if it were not purchased and managed by the Federal government?**

Describe:

- Any urgency for action regarding the acquisition
- Any planned incompatible uses

**9. Is there a compelling need for conservation and protection by a Federal agency in order to maintain the resource(s) for the benefit of the public?**

Describe:

- The need for such conservation and protection to maintain the resource values for public benefit
- How Federal ownership would protect, or prevent adverse impacts on, the resource values
- Any time sensitive issues relative to Federal acquisition

## **ATTACHMENT 4**

### **SOCIOECONOMIC INFORMATION**

The SNPLMA requires consultation with local governments within whose jurisdiction nominated lands are located regarding the impacts of acquisition of the land by the Federal government. In order to assist in assessing the socioeconomic impact of land acquisitions pursuant to the SNPLMA, please provide the following information regarding the subject land. Do not leave any questions blank; if a question does not apply please so state and explain why.

1. Number of employees, spouses, and immediate family members that will be impacted by the acquisition due to employment associated with the land. List any employment that would be lost or created as a result of the acquisition.
2. Amount of annual property taxes.
3. A description of the existing use(s) of the property.
4. Amount of annual revenue generated from enterprises associated with the land. If actual revenue is confidential, list a typical enterprise annual budget. (E.g. revenue from working farms, agricultural or other leases, access fees for recreational facilities, mining operations, etc.)
5. A summary of local public services being utilized on and provided to the subject property.
6. A summary of local contractors being utilized on the subject property.
7. Identify the current city or county land use plan designation(s) for the subject property. If no local government land use plan or master plan is in effect, please so state. In this case, list the current zoning and any anticipated zoning changes in the foreseeable future, if any.
8. Provide a list of all water rights appurtenant to the land. Note whether these are being offered for sale as part of the nomination, if they'll be reserved by the owner, if they are owned by or will be sold to a third-party, or if there will be some other disposition of the water rights.
9. Provide a list of known mineral rights associated with the land. Note whether these are being offered for sale as part of the nomination, if they'll be reserved by the owner, if they are owned by or will be sold to a third-party, or if there will be some other disposition of the mineral rights.

## DEFINITIONS

**Biodiversity:** The variety of life and its processes, including the variety of living organisms, the genetic differences among them, and the communities and ecosystems in which they occur.

**Critical Habitat:** Specific geographic areas, whether occupied by listed species or not, that are determined to be essential for the conservation and management of listed species, and that have been formally described in the Federal Register.

**Endangered Species:** Any species which is in danger of extinction throughout all or a significant portion of its range other than a species of the Class Insecta determined by the Secretary to constitute a pest whose protection under the provisions of this Act would present an overwhelming and overriding risk to man. A species must be “listed” as endangered on the Federal List of Endangered and Threatened Wildlife and Plants.

**Environmentally Sensitive Lands:** Land or an interest in land, the acquisition of which the United States would, in the judgment of the Secretary of the Interior or the Secretary of Agriculture: (A) promote the preservation of natural, scientific, aesthetic, historical, cultural, watershed, wildlife, and other values contributing to public enjoyment and biological diversity; (B) enhance recreational opportunities and public access; (C) provide the opportunity to achieve better management of public land through consolidation of Federal ownership; or (D) otherwise serve the public interest.

**Federal List of Endangered and Threatened Wildlife and Plants:** Before a plant or animal species can receive protection under the Endangered Species Act, it must first be placed on this list by the U. S. Fish and Wildlife Service. The FWS follows a strict legal process to determine whether to list a species,

**Federally Designated Area:** Land in Alaska and the eleven contiguous Western States that as of July 25, 2000, are within the boundary of (A) a national monument, area of critical environmental concern, national conservation area, national riparian conservation area, national recreation area, national scenic area, research natural area, national outstanding natural area, or a national natural landmark managed by the Bureau of Land Management; (B) a unit of the National Park System; (C) a unit of the National Wildlife Refuge System; (D) an area of the National Forest System designated for special management by an Act of Congress; or (E) an area within which the Secretary of the Interior or the Secretary of Agriculture is otherwise authorized by law to acquire lands or interest therein that is designated as (i) wilderness under the Wilderness Act ; (ii) a wilderness study area; (iii) a component of the Wild and Scenic Rivers System under the Wild and Scenic Rivers Act; or (iv) a component of the National Trails System under the National Trails System Act.

**Inholding:** Any right, title, or interest, held by a non-Federal entity, in or to a tract of land lying within the boundary of a federally designated area.

**Listed Species:** A species, subspecies, or distinct vertebrate population segment that has been added to the Federal lists of Endangered and Threatened Wildlife and Plants as they appear in sections 17.11 and 17.12 of Title 50 of the Code of Federal Regulations (50 CFR 17.11 and 17.12).

**Riparian:** Of, on, or relating to the bank of a natural course of water.

**Secretary:** The Secretary of the Department of Interior.

**Specially Designated Species:** A species that is “listed” on the Federal lists of Endangered and Threatened Wildlife and Plants.

**Species:** Includes any subspecies of fish or wildlife or plants, and any distinct population segment of any species of vertebrate fish or wildlife which interbreeds when mature.

**Species of Concern:** An informal term that refers to those species which might be in need of concentrated conservation actions. Species of concern receive no legal protection and the use of the term does not necessarily mean that the species will eventually be proposed for listing as a threatened or endangered species.

**Threatened Species:** Any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

**Wetlands:** A lowland area, such as a marsh or swamp that is saturated with moisture, especially when viewed as the natural habitat of wildlife.